

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**ALBERT MCGEE, #10330**

**PETITIONER**

**VERSUS**

**CIVIL ACTION NO. 1:08CV197HSO-JMR**

**RON KING**

**RESPONDENT**

**FINAL JUDGMENT**

This matter is before the Court on submission of the Report and Recommendation [7] of Chief United States Magistrate Judge John M. Roper entered in this cause on August 20, 2008. The Court, having adopted said Report and Recommendation as the finding of this Court by Order entered this date, finds that this matter should be dismissed.

Accordingly,

**IT IS, ORDERED AND ADJUDGED** that, Petitioner's Petition for Writ of Habeas Corpus should be and is hereby dismissed as time barred pursuant to § 2244(d)(1) of title 28 of the United States Code, and for failure to exhaust his claims pursuant to § 2254(b)(1)(A) of title 28 of the United States Code.

**SO ORDERED AND ADJUDGED**, this the 16<sup>th</sup> day of September, 2008.

*s/ Halil Suleyman Ozerden*

HALIL SULEYMAN OZERDEN  
UNITED STATES DISTRICT JUDGE